

***IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.***

CWP No.7529 of 2018

Date of Decision: 27.03.2018

Satbir

....Petitioner

Versus

State of Haryana and others

....Respondents

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Ms. Suman Chaudhary, Advocate
for the petitioner.

DAYA CHAUDHARY, J. (ORAL)

The petitioner has filed the present petition with the grievance that a complaint was made to C.M Window for demarcation of Killa No.18//25/2 situated at Village Sishwala, Sub Tehsil Balsamand, District Hisar, which has been encroached upon by respondent No.8.

In pursuance of said complaint given by the petitioner, the Sub Divisional Engineer has written a letter dated 21.03.2017 to the Naib Tehsildar-cum-AC IInd Grade Sub Tehsil Balsamand to carry out the demarcation of said area. As per demarcation report, the illegal encroachment over the area, in dispute, has been found to be of one Sunil Kumar.

Learned counsel for the petitioner submits that Sunil Kumar-respondent No.8 is candidate for the post of Lambardar and all efforts have been made in collusion with official authorities to save Sunil Kumar.

Petitioner has also served a legal notice upon the respondents but no action has been taken thereupon so far. Learned counsel also submits that the petitioner would be satisfied, in case, the directions are issued by this Court to take action on the pending legal notice dated 21.02.2018 (Annexure P-5) within some stipulated period.

Without commenting anything on the merits of the case and keeping in view the limited prayer of the petitioner, the present petition is disposed of with a direction to respondent No.2 to consider the legal notice dated 21.02.2018 (Annexure P-5) and take necessary action thereupon in accordance with law within a period of two weeks from the date of receipt of certified copy of the order.

It is also directed that before taking any action on the legal notice, the proceedings regarding *Numbardari* be not completed by the Collector and action on the legal notice be taken before proceeding further.

The petition is disposed of accordingly.

(DAYA CHAUDHARY)
JUDGE

27.03.2018

gurpreet

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No